

A comparison of the original independent claim 10 to that of newly added independent claim 23 clearly shows that the two sets of claims are not directed to distinct or different inventions. Independent claim 10 of the original claims in part recites:

partitioning a plurality of flash memory arrays into
a first memory bank and into a second memory bank ...
wherein the step of partitioning is performed by
selecting from a plurality of preformed metal masks, ...

Independent claim 23 of the newly added claims in part recites:

partitioning the plurality of memory arrays into first
and second memory banks by selecting one of a plurality of
mask options ...

Thus, in both claims 10 and 23, a plurality of memory arrays is partitioned into two banks by selecting one of a plurality of mask options. Clearly, it cannot be said that these two claims are directed to two distinct or different inventions.

Further, the mask option aspect of new claims 11-27, which the Examiner contends renders the new claims distinct or independent from the original claims 1-10, are also present in other claims of the original claims 1-10. Two examples are provided below.

Dependent claim 3 in part recites:

wherein the sizes of the first and second memory banks are
variable, depending upon selection from an application of
one a plurality of preformed metal masks used to perform
the step of partitioning.

Underline is added. Dependent claim 6 in part recites:

wherein the partition between the first and second memory
banks is determined by selecting from a plurality of preformed
metal masks ...

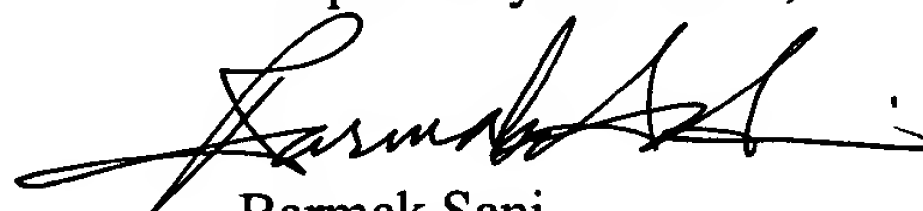
Underline is added. Therefore, the newly added claims 11-27 are not distinct or different from original claims 1-10, and Applicant respectfully requests examination on the merits of the newly added claims 11-27.

Chang Wan Ha
Application No.: 09/938,410
Page 3

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Barmak Sani
Reg. No. 45,068

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: (415) 576-0300
BXS:gjs
PA 3300426 v1